1 RANDALL S. LUSKEY (SBN: 240915) rluskey@paulweiss.com 2 PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 3 535 Mission Street, 24th Floor 4 San Francisco, CA 94105 Telephone: (628) 432-5100 5 Facsimile: (628) 232-3101 6 ROBERT ATKINS (*Pro Hac Vice* admitted) 7 ratkins@paulweiss.com CAITLIN E. GRUSAUSKAS (Pro Hac Vice admitted) 8 cgrusauskas@paulweiss.com ANDREA M. KELLER (Pro Hac Vice admitted) 9 akeller@paulweiss.com PAUL, WEISS, RIFKIND, WHARTON 10 & GARRISON LLP 1285 Avenue of the Americas 11 New York, NY 10019 12 Telephone: (212) 373-3000 Facsimile: (212) 757-3990 13 Attorneys for Defendants 14 **UBER TECHNOLOGIES, INC.**; 15 RASIER, LLC; and RASIER-CA, LLC 16 [Additional Counsel Listed on Signature Page] 17 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 18 SAN FRANCISCO DIVISION 19 IN RE: UBER TECHNOLOGIES, INC., Case No. 3:23-md-03084-CRB 20 PASSENGER SEXUAL ASSAULT Honorable Charles Breyer Judge: LITIGATION 21 **DEFENDANTS AND THIRD-PARTY** 22 PLAINTIFFS UBER TECHNOLOGIES, This Document Relates to: 23 INC.; RASIER, LLC, AND RASIER-CA, LLC'S REQUEST FOR K.S. v. Uber Technologies, Inc., et al. 24 ADMINISTRATIVE RELIEF FROM Case No.: 3:24-cv-01916-CRB **SERVICE DEADLINE (Local Rule 7-11);** 25 [PROPOSED] ORDER 26 27

UBER TECHNOLOGIES, INC., RASIER, LLC, AND RASIER-CA, LLC's REQUEST FOR ADMINISTRATIVE RELIEF FROM SERVICE DEADLINE AND [PROPOSED] ORDER

28

Case No. 3:24-cv-01916

On December 18, 2024, Defendants/Third-Party Plaintiffs Uber Technologies, Inc., Raiser, LLC, and Raiser-CA, LLC (collectively, "Uber") filed their Third-Party Complaint against the Third-Party Defendant Ryan Taylor-Byers. Fed. R. Civ. P. 4(m) provides ninety (90) days for service of a complaint. *See* Fed. R. Civ. P. 4(m) ("If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.").

Third-Party Plaintiffs have been diligently attempting to serve the Third-Party Defendant, with the Summons and Third-Party Complaint. But, to date, Third-Party Plaintiffs have been unable to serve the Third-Party Defendant in this matter.

Third-Party Plaintiffs respectfully request the Court grant a 60-day extension to complete service or take other appropriate action regarding the Third-Party Defendant. Good cause exists for this Court to extend the service deadline because Third-Party Plaintiffs have been diligently attempting to serve the Third-Party Defendant.

Third-Party Plaintiffs, through attorneys of record Shook, Hardy & Bacon, hired First Legal, a legal solutions firm, to assist with locating and serving the Third-Party Defendant. The process server attempted to serve the Third-Party Defendant at 7410 Overton Avenue, Apt. 6, Raytown, MO 64133 on January 9, 2025, but the process server indicated that the Leasing Manager, Patricia, indicated Ryan moved out and no longer lives there.

Third-Party Plaintiffs, through attorneys of record Shook, Hardy & Bacon, located 9920 Metcalf Ave, Overland Park, KS 66212 as a possible current address for the Third-Party Defendant. The summons returned unexecuted for the 7410 Overton Ave Apt 6 Raytown, MO 64133 address and the proposed summons for the 9920 Metcalf Ave, Overland Park, KS 66212 address were filed on March 17, 2025.

Third-Party Plaintiffs respectfully request the Court grant a 60-day extension to complete 1 2 service on Third-Party Defendant (or take appropriate action), allowing to and including May 17, 2025 3 to effect service. DATED: March 18, 2025 Respectfully submitted, 4 5 SHOOK, HARDY & BACON L.L.P. 6 By: <u>/s/ Maria Salcedo</u> 7 MARIA SALCEDO 8 MARIA SALCEDO (Admitted *Pro Hac Vice*) msalcedo@shb.com 9 SHOOK, HARDY & BACON L.L.P. 2555 Grand Blvd. 10 Kansas City, MO 64108 11 Telephone: (816) 474-6550 Facsimile: (816) 421-5547 12 Attorney for Defendants 13 UBER TECHNOLOGIES, INC., RASIER, LLC, and RASIER-CA, LLC 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28